IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 25052 of 2007(G)

PETITIONER:

K.PAULOSE, KUNNAMPARAMBIL HOUSE,
NEAR GUEST HOUSE, SULTHAN BATHERY.

BY ADV. SRI.P.V.JYOTHI PRASAD

RESPONDENTS:

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1. JOINT REGISTRAR (GENERAL),
CO-OPERATIVE SOCIETIES OF THE
JOINT REGISTRAR (GENERAL),
KALPATTA, WAYANAD.

2. THE SULTHAN BATHERY TALUK,
CO-OPERATIVE ARTS COLLEGE,
REP: BY SECRETARY, SULTHAN BATHERY,
WAYANAD.

ADDL. R3 AND R4 IMPLEADED.

3. BENNY ABRAHAM,
THE PRINCIPAL, THE SULTHAN BETTERY
TALUK CO-OPERATIVE ARTS COLLEGE,
SULTHAN BATHERY, WAYANAD.

4. BABU JOHN, THE PRESIDENT,
THE SULTHAN BETTERY TALUK
CO-OPERATIVE ARTS COLLEGE,
SULTHAN BATHERY, WAYANAD.

ADDL. R3 & R4 IMPLADED AS PER ORDER IN I.A.11672/07 DTD.10.9.2007.

BY ADV. SRI.MATHEWS K.UTHUPPACHAN FOR R2
SRI.TERRY V.JAMES
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN FOR R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.C.NO.25052/07

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE COMPLAINT FILED BY KRISHNA KUMARI AGAINST THE SUB-RULE DTD. 21-6-07**
EXT.P2	**TRUE COPY OF THE SUB RULE DTD. 7-6-07**
EXT.P3	**TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED TO THE PETITIONER BY R2.**
EXT.P4	**TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.**

/True Copy/

K.M.JOSEPH, J.

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WP.(C) No. 25052 of 2007

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Dated this the 15th day of October, 2007

JUDGMENT

Petitioner has preferred Ext.P4 before the first respondent complaining that additional respondents 3 and 4 have incurred disqualification under Rule 44(1)(f) of the Co-operative Societies Rules and therefore they are ineligible. There is complaint of inaction.

2. Having heard counsel for the parties, I think that a decision can be directed to be taken on Ext.P4. The writ petition is disposed of as follows:

There will be a direction to the first respondent to consider and take a decision on Ext.P4 in relation to the issue of disqualification incurred by additional respondents 3 and 4 after hearing the petitioner or his representative and respondents 3 and 4 or their representatives. Petitioner has a complaint that Ext.P2 sub rule should not be enforced, I feel that the following directions can be given:

Petitioner or his representative and additional respondents 3 and 4 or their representatives shall be present before the first respondent on

25.10.2007 at 11 a.m.. The first respondent thereupon shall proceed to hear them and take a decision in accordance with law within a period of two weeks from the date of hearing and communicate the same to the parties without any further delay.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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